

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Ricky Williams, aka
Williams and Bradshaw,

Plaintiff,

VS.

Joseph T. Henson, State Farm Insurance Company, Master Mark Construction, Mark McKinney, Pamela Williams, Steve Michaels, Stock Builders Supply, Steve Doe of Stock Builders Supply, Robert "Bob" Doe of Stock Builders Supply, Victoria Barnett, Brown and Babb, P.C., Spartanburg Forest Supply, Sandy Macilwinen and Scott Casey,

Defendants.

Civil Action No. 6:06-3465-HFF-WMC

ORDER

This matter is before the court on the plaintiff's motion to compel discovery (doc. 68). In his complaint, the plaintiff, a state prisoner proceeding *pro se*, alleges causes of action for violation of the Racketeer Influenced and Corrupt Organizations statute ("RICO") (18 U.S.C. § 1961 *et seq.*), mail fraud (18 U.S.C. § 1341), wire fraud (18 U.S.C. § 1343), bank fraud (18 U.S.C. § 1344), common law fraud, civil conspiracy (18 U.S.C. § 371), and slander. The claims arise from the finance, construction, and sale of the plaintiff's properties in Greenville County.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(A) and Local Civil Rule 73.02)(B)(2)(e) D.S.C., all pretrial matters in cases involving *pro se* litigants are referred to a United States Magistrate Judge for consideration.

The plaintiff alleges in his complaint, *inter alia*, that defendant Joseph T. Hinson, a residential builder, and defendants Master's Mark Construction ("Master's Mark") and Mark McKinney, contractors, obtained lumber and other materials from defendants Stock Building Supply, Inc., and Spartanburg Forest Products for use in the construction of the plaintiff's home. The plaintiff claims that the lumber and materials were diverted to other projects of Hinson and Master's Mark without his consent. In a report filed May 10, 2007, this court recommended that defendants Mark McKinney, Spartanburg Forest Products, Steve Michaels, Sandy MacIlwinen, Scott Casey, Robert Doe, Steve Doe, Stock Building Supply, Inc., Victoria Barnett, Brown and Babb, P.C., and State Farm Insurance Company be dismissed from the case.

In an order filed May 31, 2007, this court directed that the instant motion to compel be denied as to defendant Hinson and held in abeyance as to defendant Stock Building Supply pending ruling on that defendant's motion to dismiss which is now before the Honorable Henry F. Floyd, United States District Judge. As this court has recommended that Stock Building Supply be dismissed from the case, the plaintiff's motion to compel (doc. 68) is denied at this time. Should the district court not adopt this court's recommendation, the plaintiff may refile his motion to compel as to defendant Stock Building Supply.

IT IS SO ORDERED.

s/William M. Catoe
United States Magistrate Judge

August 9, 2007

Greenville, South Carolina